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FISCAL IMPACT STATEMENT

LS 6560

BILL NUMBER: SB 340

NOTE PREPARED: Jan 29, 2010

BILL AMENDED: Jan 28, 2010

SUBJECT: Parole Board Duties.

FIRST AUTHOR: Sen. Bray

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill has the following provisions:

- A. It makes conducting a community investigation by the parole board discretionary rather than mandatory.
- B. It reduces the standard period of parole from two years to one year unless the parolee: (1) is a repeat parolee; (2) is being placed on parole for a conviction for a crime of violence; (3) is a sex offender; or (4) has violated a DOC rule in the six months prior to release.

Effective Date: July 1, 2010.

Explanation of State Expenditures: *Community Investigations* – Under current law, community investigations are prepared by the parole field agents when the Parole Board is considering the release on parole of an offender who is serving a sentence with a determinate term of at least ten years. As proposed, the parole board would have discretion to order and consider a community investigation and report.

This provision may allow for offenders to be released earlier if a community investigation is not required to be completed. Under current law, the Parole Board is required to have the community investigation report before considering whether to admit the offender to parole. According to the Parole Board, these community investigation reports generally take between 6 and 12 months to complete. If these offenders can be released sooner, the number of available beds in the Department of Correction (DOC) may increase. Currently, DOC's adult male facilities operate at almost 100% capacity.

As an illustration, the Parole Board may choose to concentrate on offenders who were sentenced for violent crimes or crimes involving the possession or use of firearms. LSA examined the records of 1,096 offenders

who were released in CY 2008 on parole who had determinate sentences of ten years or more. Of these, roughly 46% of the offenders were committed to DOC for either violent crimes or crimes that involved firearms.

Drug Dealing	Drug Possession	Firearms	Other	Property	Violent	Grand Total
250	41	26	22	273	484	1096
23%	4%	2%	2%	25%	44%	100%

(Revised) *Reduced Length of Time on Parole* – Under current law, sex offenders who are released from DOC facilities are required to remain on parole for ten years and sexually violent offenders are required to remain on parole for the rest of their lives. Offenders who are not sex offenders or sexually violent offenders are required to be on parole for two years. As proposed, the length of time that these offenders (who are neither sex offenders or sexually violent offenders) would be on parole is one year.

In CY 2008, there were 2,631 offenders with no prior commitment in DOC facilities and were committed for neither a sex or violent offense who were released and could be eligible to be released from parole in one year. Reducing the number of offenders on parole would reduce the need for additional parole officers. In December 2009, there were 150 parole agents and supervisors.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: DOC; Indiana Parole Board.

Local Agencies Affected:

Information Sources: Greg Server, Chairman of the Indiana Parole Board; DOC Offender Information System.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.